

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2008-1193-AIR-E TCEQ ID: RN102555166 CASE NO.: 36255
RESPONDENT NAME: CITGO REFINING AND CHEMICALS COMPANY L.P.

Page 1 of 2

ORDER TYPE:		
<input type="checkbox"/> 1660 AGREED ORDER	<input checked="" type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County</p> <p>TYPE OF OPERATION: petroleum refinery</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are three pending enforcement actions regarding this facility (2008-0273-IHW-E; 2008-0837-AIR-E; and 2009-0622-AIR-E).</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired August 10, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST:</p> <p style="margin-left: 20px;">TCEQ Attorney: Ms. Anna M. Treadwell, Litigation Division, MC 175, (512) 239-0974 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019</p> <p style="margin-left: 20px;">TCEQ Enforcement Coordinator: Ms. Kimberly Morales, Air Enforcement Section, MC R-12, (713) 422-8938</p> <p style="margin-left: 20px;">TCEQ Regional Contact: Mr. David Turner, Corpus Christi Regional Office, MC R-14, (361) 825-3113</p> <p style="margin-left: 20px;">Respondent: Mr. Mark W. Cheesman, Manager of Environmental Affairs, CITGO Refining and Chemicals Company L.P., P.O. Box 9176, Corpus Christi, Texas 78469</p> <p style="margin-left: 20px;">Respondent's Attorney: Mr. Chris Newcomb, Senior Corporate Counsel, CITGO Refining and Chemicals Company L.P., CITGO Lemont Refinery 135th Street and New Avenue, Lemont, Illinois 60439</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input checked="" type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: March 7, 2008</p> <p>Date of NOE Relating to this Case: July 2, 2008</p> <p>Background Facts: The EDRP was filed November 7, 2008. The Respondent filed an answer and the case was referred to SOAH. The Respondent signed the Agreed Order on May 12, 2009.</p> <p>Current Compliance Status: No outstanding Technical Requirements. The Respondent completed the approved CAP.</p> <p>AIR:</p> <ol style="list-style-type: none"> Failed to prevent unauthorized emissions [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and New Source Review Permit 3119A, Special Condition No. 1]. Failed to submit the initial notification for Incident No. 102832 within 24 hours of discovery [30 TEX. ADMIN. CODE § 101.201(a)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b)]. Failed to list all compounds and quantities associated with Incident No. 102832 in the final report [30 TEX. ADMIN. CODE § 101.201(b),(c) and (g), and TEX. HEALTH & SAFETY CODE § 382.085(b)]. 	<p>Total Assessed: \$10,482</p> <p>Total Deferred: \$0</p> <p><input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input type="checkbox"/> SEP Conditional Offset</p> <p>Total Paid to General Revenue: \$10,482</p> <p>The Respondent paid the administrative penalty in full.</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p> <p>Findings Order Justification: Human health or the environment has been exposed to a significant amount of pollutants which exceed levels that are protective.</p> <p>Excessive Emissions Event Determination Factors:</p> <p>January 1, 2008 Event: (violation No. 1) – 30 TEX. ADMIN. CODE § 116.115(c): Emissions event occurred when inadequate design and shutdown procedures allowed hydrocarbons to be carried into the East Plant sour water system from the Gasoline Hydro-Treater Product Separator Boot, ultimately leading to the unit shutdown. Furthermore, the level indicator for the flash drum could not be monitored by the unit operator because it was located outside of the Distributive Control System ("DCS") Console. The Respondent released 14,123.45 pounds ("lbs") of sulfur dioxide, 145.08 lbs of hydrogen sulfide, 279.8 lbs of hydrocarbons, 170.3 lbs of carbon monoxide, 21 lbs of nitrogen oxide and 1.25 lbs of nitrogen dioxide from the Acid Gas Flare [Emissions Point Number ("EPN") 413]. The emissions event was improperly reported, avoidable, and excessive.</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent implemented the following corrective measures at the Plant, as detailed in the Corrective Action Plan ("CAP") submitted to the TCEQ on September 2, 2008:</p> <ol style="list-style-type: none"> Installed a High Output alarm on Gasoline Hydrotreater ("GHT") Product Separator at 60% to alter console supervisors of a possible problem. Changed the GHT shutdown procedures to require water wash and isolation of water boots during unit shutdown. Changed all applicable GHT procedure and guidelines to ensure the fin fans are shutdown as needed to maintain a minimum of 90 degrees Fahrenheit on 207-TI-045 and 207-TI-047. Removed or upgraded Sour Water Flash drum pump suction screens. Brought the Sour Water Flash drum level indicator into the DCS console. Trained console supervisors on lessons learned from this incident and refreshed on applicable procedures. Assessed current emission calculation practices and reporting procedures and modified as required to address issues associated with the January 1, 2008 acid gas flaring event.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

DATES	Assigned	7-Jul-2008	Screening	21-Jul-2008	EPA Due	29-Mar-2009
	PCW	21-Jan-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	Citgo Refining and Chemicals Company L.P.
Reg. Ent. Ref. No.	RN102555166
Facility/Site Region	14-Corpus Christi
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	36255	No. of Violations	3
Docket No.	2008-1193-AIR-E	Order Type	Findings
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$10,200
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	141.0% Enhancement	Subtotals 2, 3, & 7	\$14,382
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Notes: Enhancement due to 12 NOVs with same or similar violations, 15 NOVs with unrelated violations (including seven NOVs for self-reported monthly effluent violations), and three 1660 Agreed Orders. Reduction due to five notice of audit letters submitted and two notice of audit letters submitted with a disclosure of violations.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$432
Approx. Cost of Compliance \$11,750

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$24,582
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$24,582
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$10,482
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DEFERRAL	0.0% Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral is recommended for Findings Orders.

PAYABLE PENALTY	\$10,482
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Screening Date 21-Jul-2008

Docket No. 2008-1193-AIR-E

PCW

Respondent Citgo Refining and Chemicals Company L.P.

Policy Revision 2 (September 2002)

Case ID No. 36255

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN102555166

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	12	60%
	Other written NOVs	15	30%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	2	-4%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 141%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement due to 12 NOVs with same or similar violations, 15 NOVs with unrelated violations (including seven NOVs for self-reported monthly effluent violations), and three 1660 Agreed Orders. Reduction due to five notice of audit letters submitted and two notice of audit letters submitted with a disclosure of violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 141%

Screening Date 21-Jul-2008		Docket No. 2008-1193-AIR-E		PCW		
Respondent Citgo Refining and Chemicals Company L.P.						
Case ID No. 36255						
Reg. Ent. Reference No. RN102555166						
Media [Statute] Air						
Enf. Coordinator Kimberly Morales						
Violation Number		<div style="border: 1px solid black; padding: 2px;">1</div>				
Rule Cite(s)		<div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit 3119A, Special Condition No. 1</div>				
Violation Description		<div style="border: 1px solid black; padding: 5px;">Failed to prevent unauthorized emissions. Specifically, the Respondent released 14,123.45 pounds ("lbs") of sulfur dioxide ("SO₂"), 145.08 lbs of hydrogen sulfide, 279.8 lbs of hydrocarbons, 170.3 lbs of carbon monoxide, 21 lbs of nitrogen oxide and 1.25 lbs of nitrogen dioxide from the Acid Gas Flare [Emissions Point Number ("EPN") 413] during an avoidable emissions event (Incident No. 102382) that began January 1, 2008 and lasted five hours and eight minutes. The inadequate design and shutdown procedures allowed hydrocarbons to be carried into the East Plant sour water system from the Gasoline Hydro-Treater Product Separator Boot, ultimately leading to the unit shutdown. Furthermore, the level indicator for the flash drum could not be monitored because it was located outside of the Distributive Control System ("DCS") Console. Since this emissions event was improperly reported, avoidable and determined to be excessive the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.</div>				
Base Penalty					<div style="border: 1px solid black; padding: 2px;">\$10,000</div>	
>> Environmental, Property and Human Health Matrix						
OK	Release		Harm		Percent	
			Major	Moderate		Minor
	Actual	Potential	<div style="border: 1px solid black; padding: 2px;">x</div>			
<div style="border: 1px solid black; padding: 2px;">Percent <div style="border: 1px solid black; padding: 2px;">100%</div></div>						
>> Programmatic Matrix						
Matrix Notes	Falsification		Major	Moderate	Minor	Percent
<div style="border: 1px solid black; padding: 2px;">Percent <div style="border: 1px solid black; padding: 2px;">0%</div></div>						
<div style="border: 1px solid black; padding: 5px;">Human health or the environment has been exposed to a significant amount of pollutants that exceed levels protective of human health or environmental receptors. Huisache Continuous Air Monitoring Site (CAMS 98, EPA Site 48-355-0032) data showed levels of SO₂ reaching 465.924 parts per billion ("ppb") within 30 minutes after the start of the event and rose as high as 499.889 ppb.</div>						
Adjustment					<div style="border: 1px solid black; padding: 2px;">\$0</div>	
					<div style="border: 1px solid black; padding: 2px;">\$10,000</div>	
Violation Events						
Number of Violation Events		<div style="border: 1px solid black; padding: 2px;">1</div>		Number of violation days		
		<div style="border: 1px solid black; padding: 2px;">1</div>				
mark only one with an x	daily		<div style="border: 1px solid black; padding: 2px;">x</div>			
	monthly		<div style="border: 1px solid black; padding: 2px;"></div>			
	quarterly		<div style="border: 1px solid black; padding: 2px;"></div>			
	semiannual		<div style="border: 1px solid black; padding: 2px;"></div>			
	annual		<div style="border: 1px solid black; padding: 2px;"></div>			
	single event		<div style="border: 1px solid black; padding: 2px;"></div>			
Violation Base Penalty					<div style="border: 1px solid black; padding: 2px;">\$10,000</div>	
<div style="border: 1px solid black; padding: 2px; text-align: center;">One daily event is recommended.</div>						
Good Faith Efforts to Comply						
		0.0% Reduction		<div style="border: 1px solid black; padding: 2px;">\$0</div>		
		Before NOV		NOV to EDPRP/Settlement Offer		
Extraordinary		<div style="border: 1px solid black; padding: 2px;"></div>		<div style="border: 1px solid black; padding: 2px;"></div>		
Ordinary		<div style="border: 1px solid black; padding: 2px;"></div>		<div style="border: 1px solid black; padding: 2px;"></div>		
N/A		<div style="border: 1px solid black; padding: 2px;">x</div>		<div style="border: 1px solid black; padding: 2px;">(mark with x)</div>		
Notes		<div style="border: 1px solid black; padding: 2px;">The Respondent does not meet the good faith criteria for this violation.</div>				
Violation Subtotal					<div style="border: 1px solid black; padding: 2px;">\$10,000</div>	
Economic Benefit (EB) for this violation						
Estimated EB Amount		<div style="border: 1px solid black; padding: 2px;">\$356</div>		Statutory Limit Test		
Violation Final Penalty Total					<div style="border: 1px solid black; padding: 2px;">\$24,100</div>	
This violation Final Assessed Penalty (adjusted for limits)					<div style="border: 1px solid black; padding: 2px;">\$10,000</div>	

Economic Benefit Worksheet

Respondent: Citgo Refining and Chemicals Company L.P.

Case ID No. 36255

Reg. Ent. Reference No. RN102555166

Media: Air

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction	\$5,000	1-Jan-2008	22-Apr-2008	0.31	\$5	\$102	\$107
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	1-Jan-2008	29-Dec-2008	0.99	\$249	n/a	\$249

Notes for DELAYED costs

Estimated expenses to modify shutdown procedures, to install alarms on the DCS Console level indicator and to implement any additional measures determined necessary through the corrective action plan process. Dates Required are the dates of the emissions event (Incident No. 102382). Final Dates are the dates that corrective actions were completed and are estimated to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$356

Screening Date 21-Jul-2008		Docket No. 2008-1193-AIR-E		PCW
Respondent Citgo Refining and Chemicals Company L.P.		<small>Policy Revision 2 (September 2002)</small>		
Case ID No. 36255		<small>PCW Revision June 12, 2008</small>		
Reg. Ent. Reference No. RN102555166				
Media [Statute] Air				
Enf. Coordinator Kimberly Morales				
Violation Number 2				
Rule Cite(s)		30 Tex. Admin. Code § 101.201(a)(1) and Tex. Health & Safety Code § 382.085(b)		
Violation Description		Failed to submit the initial notification for Incident No. 102832 within 24 hours of discovery.		
Base Penalty				\$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm					
	Release	Major	Moderate	Minor		
	Actual					
	Potential				Percent	0%

>> Programmatic Matrix

Falsification					
Major	Moderate	Minor			
		x			
				Percent	1%

Matrix Notes
 The Respondent has met at least 70% of the rule requirement.

Adjustment \$9,900

Violation Events

Number of Violation Events	1	1	Number of violation days
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<small>mark only one with an x</small>	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Good Faith Efforts to Comply

0.0% Reduction		
	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes
 The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount	Violation Final Penalty Total
\$76	\$241
This violation Final Assessed Penalty (adjusted for limits)	
\$241	

Economic Benefit Worksheet

Respondent Citgo Refining and Chemicals Company L.P.

Case ID No. 36255

Reg. Ent. Reference No. RN102555166

Media Air

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$1,500	2-Jan-2008	31-Dec-2008	1.00	\$75	n/a	\$75
Remediation/Disposal				0.00	\$0	n/a	\$0
Other (as needed)		2-Jan-2008	13-Feb-2008	0.12	\$0	n/a	\$0
Other (as needed)	\$250	2-Jan-2008	25-Jan-2008	0.06	\$1	n/a	\$1

Notes for DELAYED costs

Estimated costs for plant personnel to file a timely and accurate emissions event report and to implement procedures to ensure the proper reporting of emissions events. Date Required is 24 hours after the plant discovered the event. Final Dates are the dates that the report was submitted, the date that the omitted emissions were provided and when additional corrective actions are estimated to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,750

TOTAL

\$76

Screening Date 21-Jul-2008		Docket No. 2008-1193-AIR-E		PCW													
Respondent Citgo Refining and Chemicals Company L.P.		<small>Policy Revision 2 (September 2002)</small>															
Case ID No. 36255		<small>PCW Revision June 12, 2008</small>															
Reg. Ent. Reference No. RN102555166																	
Media [Statute] Air																	
Enf. Coordinator Kimberly Morales																	
Violation Number	<input type="text" value="3"/>																
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 101.201(b), (c) and (g), and Tex. Health & Safety Code 382.085(b)"/>																
Violation Description	<input type="text" value="Failed to list all compounds and quantities associated with Incident No. 102832 in the final report."/>																
Base Penalty				<input type="text" value="\$10,000"/>													
>> Environmental, Property and Human Health Matrix																	
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td style="text-align: center;">Potential</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </table>				Major	Moderate	Minor	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>	
		Major	Moderate	Minor													
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>													
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>														
>> Programmatic Matrix																	
Matrix Notes	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Falsification</td> <td><input type="text"/></td> <td><input type="text"/></td> <td style="text-align: center;">x</td> </tr> </table>				Major	Moderate	Minor	Falsification	<input type="text"/>	<input type="text"/>	x	Percent <input type="text" value="1%"/>					
		Major	Moderate	Minor													
	Falsification	<input type="text"/>	<input type="text"/>	x													
<input type="text" value="The Respondent has met at least 70% of the rule requirement."/>																	
Adjustment				<input type="text" value="\$9,900"/>													
				\$100													
Violation Events																	
Number of Violation Events		<input type="text" value="1"/>	Number of violation days														
<i>mark only one with an x</i>		daily	<input type="text"/>														
		monthly	<input type="text"/>														
		quarterly	<input type="text"/>														
		semiannual	<input type="text"/>														
		annual	<input type="text"/>														
		single event	x														
Violation Base Penalty				<input type="text" value="\$100"/>													
<input type="text" value="One single event is recommended."/>																	
Good Faith Efforts to Comply																	
		0.0% Reduction		<input type="text" value="\$0"/>													
		Before NOV	NOV to EDPRP/Settlement Offer														
Extraordinary	<input type="text"/>	<input type="text"/>															
Ordinary	<input type="text"/>	<input type="text"/>															
N/A	x	(mark with x)															
Notes	<input type="text" value="The Respondent does not meet the good faith criteria for this violation."/>																
Violation Subtotal				<input type="text" value="\$100"/>													
Economic Benefit (EB) for this violation																	
Estimated EB Amount		<input type="text" value="\$0"/>															
Statutory Limit Test																	
Violation Final Penalty Total				<input type="text" value="\$241"/>													
This violation Final Assessed Penalty (adjusted for limits)				<input type="text" value="\$241"/>													

Economic Benefit Worksheet

Respondent Citgo Refining and Chemicals Company L.P.

Case ID No. 36255

Reg. Ent. Reference No. RN102555166

Media Air

Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

This violation is included in the Economic Benefit for Violation No. 2.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$0TOTAL \$0

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600127922	Citgo Refining and Chemicals Company L.P.	Classification: AVERAGE	Rating: 3.80
Regulated Entity:	RN102555166	CITGO CORPUS CHRISTI REFINERY EAST PLANT	Classification: AVERAGE	Site Rating: 11.79

ID Number(s):	AIR NEW SOURCE PERMITS	PERMIT	17670
	AIR NEW SOURCE PERMITS	PERMIT	2494A
	AIR NEW SOURCE PERMITS	PERMIT	2695A
	AIR NEW SOURCE PERMITS	PERMIT	2696A
	AIR NEW SOURCE PERMITS	PERMIT	2697A
	AIR NEW SOURCE PERMITS	PERMIT	2699A
	AIR NEW SOURCE PERMITS	PERMIT	2700A
	AIR NEW SOURCE PERMITS	PERMIT	2703A
	AIR NEW SOURCE PERMITS	PERMIT	2704A
	AIR NEW SOURCE PERMITS	PERMIT	2705A
	AIR NEW SOURCE PERMITS	PERMIT	2706A
	AIR NEW SOURCE PERMITS	PERMIT	2708A
	AIR NEW SOURCE PERMITS	PERMIT	3119A
	AIR NEW SOURCE PERMITS	PERMIT	3123A
	AIR NEW SOURCE PERMITS	PERMIT	3390A
	AIR NEW SOURCE PERMITS	PERMIT	3857A
	AIR NEW SOURCE PERMITS	PERMIT	4728A
	AIR NEW SOURCE PERMITS	PERMIT	5418A
	AIR NEW SOURCE PERMITS	PERMIT	5946A
	AIR NEW SOURCE PERMITS	PERMIT	6722A
	AIR NEW SOURCE PERMITS	PERMIT	8653A
	AIR NEW SOURCE PERMITS	PERMIT	9604A
	AIR NEW SOURCE PERMITS	PERMIT	17670A
	AIR NEW SOURCE PERMITS	PERMIT	10733A
	AIR NEW SOURCE PERMITS	PERMIT	12005A
	AIR NEW SOURCE PERMITS	PERMIT	2709A
	AIR NEW SOURCE PERMITS	PERMIT	4979A
	AIR NEW SOURCE PERMITS	PERMIT	19044
	AIR NEW SOURCE PERMITS	PERMIT	20156
	AIR NEW SOURCE PERMITS	PERMIT	21303
	AIR NEW SOURCE PERMITS	PERMIT	21358
	AIR NEW SOURCE PERMITS	PERMIT	21706
	AIR NEW SOURCE PERMITS	PERMIT	22312
	AIR NEW SOURCE PERMITS	PERMIT	22418
	AIR NEW SOURCE PERMITS	PERMIT	23834
	AIR NEW SOURCE PERMITS	PERMIT	28092
	AIR NEW SOURCE PERMITS	PERMIT	30099
	AIR NEW SOURCE PERMITS	PERMIT	42533
	AIR NEW SOURCE PERMITS	PERMIT	46637
	AIR NEW SOURCE PERMITS	PERMIT	46641
	AIR NEW SOURCE PERMITS	PERMIT	46640
	AIR NEW SOURCE PERMITS	PERMIT	46642
	AIR NEW SOURCE PERMITS	PERMIT	47656
	AIR NEW SOURCE PERMITS	PERMIT	49265
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	NE0027V
	AIR NEW SOURCE PERMITS	PERMIT	5418
	AIR NEW SOURCE PERMITS	PERMIT	6748
	AIR NEW SOURCE PERMITS	PERMIT	10309
	AIR NEW SOURCE PERMITS	REGISTRATION	56720
	AIR NEW SOURCE PERMITS	AFS NUM	4835500003
	AIR NEW SOURCE PERMITS	REGISTRATION	71021
	AIR NEW SOURCE PERMITS	PERMIT	53921
	AIR NEW SOURCE PERMITS	PERMIT	54775
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX653M1
	AIR NEW SOURCE PERMITS	PERMIT	72654
	AIR NEW SOURCE PERMITS	PERMIT	74515
	AIR NEW SOURCE PERMITS	REGISTRATION	74376
	AIR NEW SOURCE PERMITS	REGISTRATION	75017
	AIR NEW SOURCE PERMITS	REGISTRATION	75340
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX831
	AIR NEW SOURCE PERMITS	REGISTRATION	76930
	AIR NEW SOURCE PERMITS	REGISTRATION	76737
	AIR NEW SOURCE PERMITS	REGISTRATION	76742
	AIR NEW SOURCE PERMITS	REGISTRATION	76880
	AIR NEW SOURCE PERMITS	REGISTRATION	76883
	AIR NEW SOURCE PERMITS	REGISTRATION	77066
	AIR NEW SOURCE PERMITS	REGISTRATION	77680
	AIR NEW SOURCE PERMITS	REGISTRATION	77094
	AIR NEW SOURCE PERMITS	REGISTRATION	77050
	AIR NEW SOURCE PERMITS	REGISTRATION	78081
	AIR NEW SOURCE PERMITS	REGISTRATION	78541
	AIR NEW SOURCE PERMITS	REGISTRATION	78522
	AIR NEW SOURCE PERMITS	REGISTRATION	78851
	AIR NEW SOURCE PERMITS	REGISTRATION	78850
	AIR NEW SOURCE PERMITS	REGISTRATION	78195
	AIR NEW SOURCE PERMITS	REGISTRATION	79234
	AIR NEW SOURCE PERMITS	REGISTRATION	79760

AIR NEW SOURCE PERMITS	PERMIT	80407
AIR NEW SOURCE PERMITS	EPA ID	PSDTX1086
AIR NEW SOURCE PERMITS	PERMIT	80693
AIR NEW SOURCE PERMITS	REGISTRATION	80521
AIR NEW SOURCE PERMITS	REGISTRATION	80564
AIR NEW SOURCE PERMITS	PERMIT	80801
AIR NEW SOURCE PERMITS	REGISTRATION	83336
AIR NEW SOURCE PERMITS	REGISTRATION	83016
AIR NEW SOURCE PERMITS	REGISTRATION	86253
AIR NEW SOURCE PERMITS	REGISTRATION	83882
AIR NEW SOURCE PERMITS	REGISTRATION	83913
AIR OPERATING PERMITS	ACCOUNT NUMBER	NE0027V
AIR OPERATING PERMITS	PERMIT	1423
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD051161990
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30532
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50160
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50160
WASTEWATER	PERMIT	WQ0000467000
WASTEWATER	PERMIT	TPDES0006211
WASTEWATER	PERMIT	TX0006211
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30532
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50160

Location: 1801 NUECES BAY BLVD, CORPUS CHRISTI, TX, 78407

TCEQ Region: REGION 14 - CORPUS CHRISTI

Date Compliance History Prepared: January 16, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: July 15, 2003 to July 15, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Kimberly Morales Phone: (713) 422-8938

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? Yes
3. If Yes, who is the current owner? Citgo Refining and Chemicals Company L.P.
Champlin Refining Company
4. If Yes, who was/were the prior owner(s)? Citgo Petroleum Corporation
5. When did the change(s) in ownership occur? 10/1/2007
6. Rating Date: 9/1/2007 Repeat Violator: NO

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

1

Effective Date: 03/05/2004

ADMINORDER 2001-1469-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: 20156 PERMIT

Description: Failed to limit emissions released from the Hydrar Unit to the levels allowed.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 101, SubChapter A 101.27(a)

30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)

30 TAC Chapter 116, SubChapter B 116.110(a)

30 TAC Chapter 116, SubChapter B 116.116(a)

40 CFR Chapter 52, SubChapter C, PT 52, SubPT A 52.21

Description: Failed to obtain appropriate regulatory authority for sour water and acid gas flares as installed and operated at the East and West Plants and to pay emissions fees or maintain flare logs for these flares.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: 3390A PERMIT

Description: Failed to limit emissions released from the Unibon Unit to the levels allowed.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201
30 TAC Chapter 101, SubChapter F 101.211

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit notifications of upset emissions in a timely manner; to provide proper notification for maintenance events; and to maintain complete records regarding emission events.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 3119A PERMIT

Description: Failed to comply with emissions limits applicable to the East and West Plant sulfur recovery units.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 111, SubChapter A 111.111(a)(2)

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 9604A PERMIT

GP PERMIT

Description: Failed to comply with limits on emissions from Fluid Catalytic Cracking units.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent fuel gas burned in combustion devices from containing excess hydrogen sulfide.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
30 TAC Chapter 335, SubChapter C 335.69(a)(3)

30 TAC Chapter 335, SubChapter C 335.69(d)(1)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(ii)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(c)(1)

Rqmt Prov: II.B.9 PERMIT

IV.B.1 PERMIT

Description: Failed to submit notification of hazardous waste (HW) management areas, to comply with the accumulation time requirements, to properly label drums of HW, maintain a container of HW closed, mark containers with an accumulation start date, timely submit certification of waste minimization and limit HW to permitted wastes

Classification: Moderate

Citation: 30 TAC Chapter 327 327.5(a)
30 TAC Chapter 335, SubChapter A 335.4

TWC Chapter 26 26.121

Description: Failure to prevent the unauthorized discharge of industrial or other waste and to initiate response actions.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121
30 TAC Chapter 319, SubChapter A 319.11

30 TAC Chapter 319, SubChapter A 319.7

Rqmt Prov: Effluent limitations PERMIT

Description: Failure to comply with TPDES permits, including failure to properly operate process wastewater and stormwater collection systems, limit effluent characteristics, use proper sample collection & storage procedures, to record all required information for storm water collection, to record QA/QC data for pH & Cl.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-5
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(b)
40 CFR Part 60, Subpart QQQ 60.692-3(a)

Description: Failed to meet the requirements of 40 CFR, Part 60, Subpart QQQ, including failure to prevent oil carryover from oil-water (o/w) separators, to equip o/w storage vessels with fixed roofs & o/w tank with closed vent system and control devices, to submit reports or conduct inspection; operated the CPI sep without flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.342(e)(2)(ii)

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.346
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(a)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355(c)
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.357(d)(2)

Description: Failed to meet NESHAP req. for benzene wastes, including failure to conduct inspections of drain systems, equip tanks, submit complete total annual benzene report & determine quantity from each waste stream, determine the flow-weighted annual avg appropriately, limit the benzene quantity of uncontrolled waste streams.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 40 CFR Part 63, Subpart G 63.120(b)(3)

40 CFR Part 63, Subpart G 63.120(b)(4)
 40 CFR Part 63, Subpart G 63.122(a)

Description: Failed to comply with the requirements for external floating roof tank seal gap repair and reporting.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
 30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 60, Subpart A 60.18

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the flare pilot operation requirements applicable to the Fluor flare or to obtain regulatory authority for uncombusted emissions from that flare.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with emission limits during vessel loading operations.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Rqmt Prov: 46642 PERMIT

Description: Failure to demonstrate initial compliance with emission tests of Compressor Nos. 1A, 1B, and 1C (EPNs 062, 063, and 064).

2

Effective Date: 08/31/2007

ADMINORDER 2007-0170-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Air Permit 5418A General Conditions PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, 20 pounds of the Hazardous Air Pollutant benzene was released from the UDEX Unit Fugitives during an emissions event that began June 21, 2006 and lasted five minutes.

3

Effective Date: 12/20/2007

ADMINORDER 2007-0594-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 3123A, SC 1 PERMIT

Permit No. 3123A, Special Condition 3 PERMIT

Description: Failed to prevent an unauthorized emissions event that occurred on November 15, 2006.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	07/22/2003	(158896)
2	08/11/2003	(149101)
3	08/11/2003	(149496)
4	08/15/2003	(147279)
5	08/19/2003	(295716)
6	09/19/2003	(295718)
7	10/30/2003	(249984)
8	10/30/2003	(250829)
9	10/30/2003	(252796)
10	10/30/2003	(252955)
11	10/30/2003	(295720)
12	11/21/2003	(295722)
13	12/29/2003	(295723)
14	01/27/2004	(295725)
15	01/29/2004	(258191)
16	02/02/2004	(261589)

17	02/09/2004	(256114)
18	02/09/2004	(256568)
19	02/09/2004	(256569)
20	02/23/2004	(295705)
21	03/01/2004	(264188)
22	03/01/2004	(264223)
23	03/25/2004	(295709)
24	03/27/2004	(283414)
25	04/15/2004	(266190)
26	04/28/2004	(295710)
27	05/10/2004	(270683)
28	05/24/2004	(272559)
29	05/25/2004	(295712)
30	05/28/2004	(272866)
31	06/23/2004	(276515)
32	06/24/2004	(269190)
33	06/30/2004	(352239)
34	07/01/2004	(278139)
35	07/01/2004	(278271)
36	07/19/2004	(268646)
37	07/22/2004	(352240)
38	08/30/2004	(352241)
39	08/31/2004	(291703)
40	09/15/2004	(298570)
41	09/16/2004	(334411)
42	09/28/2004	(283343)
43	10/12/2004	(335820)
44	10/29/2004	(352243)
45	11/19/2004	(336653)
46	11/19/2004	(336845)
47	11/19/2004	(339890)
48	11/19/2004	(339919)
49	11/19/2004	(341541)
50	11/22/2004	(341305)
51	11/23/2004	(352244)
52	11/30/2004	(341912)
53	12/20/2004	(352242)
54	12/20/2004	(381902)
55	12/30/2004	(342227)
56	01/21/2005	(345684)
57	01/24/2005	(381903)
58	02/03/2005	(348348)
59	02/23/2005	(381900)
60	03/08/2005	(453246)
61	03/11/2005	(372798)
62	03/24/2005	(373888)
63	03/24/2005	(374168)
64	03/28/2005	(374190)
65	03/28/2005	(381901)
66	04/26/2005	(419743)
67	05/06/2005	(378559)
68	05/23/2005	(419744)
69	06/03/2005	(392988)
70	06/03/2005	(393464)
71	06/16/2005	(395438)
72	06/23/2005	(419745)
73	07/07/2005	(395347)
74	07/18/2005	(393465)
75	07/22/2005	(440879)
76	08/18/2005	(405799)
77	08/22/2005	(402137)
78	08/26/2005	(440880)
79	09/20/2005	(440881)
80	10/11/2005	(434051)
81	10/25/2005	(468522)
82	11/16/2005	(405717)
83	11/17/2005	(436667)
84	11/28/2005	(468523)
85	12/01/2005	(435829)
86	12/22/2005	(468524)
87	01/02/2006	(450793)
88	01/02/2006	(450794)
89	01/24/2006	(468525)

90	02/09/2006	(453193)
91	02/21/2006	(451197)
92	02/24/2006	(468521)
93	03/07/2006	(454499)
94	03/08/2006	(458417)
95	03/20/2006	(498260)
96	03/27/2006	(459448)
97	04/06/2006	(459050)
98	04/13/2006	(459661)
99	04/13/2006	(459665)
100	04/18/2006	(455371)
101	04/24/2006	(498261)
102	05/23/2006	(498262)
103	05/24/2006	(467417)
104	06/05/2006	(466364)
105	06/06/2006	(467393)
106	06/23/2006	(498263)
107	07/19/2006	(482242)
108	07/21/2006	(484425)
109	07/24/2006	(520275)
110	08/09/2006	(572255)
111	08/17/2006	(520276)
112	08/21/2006	(489885)
113	08/21/2006	(520277)
114	08/22/2006	(487181)
115	08/24/2006	(482569)
116	08/31/2006	(483126)
117	09/13/2006	(510995)
118	09/25/2006	(520278)
119	10/12/2006	(514095)
120	10/12/2006	(514878)
121	10/12/2006	(514897)
122	10/16/2006	(515256)
123	10/18/2006	(510953)
124	10/18/2006	(515782)
125	10/24/2006	(544597)
126	11/15/2006	(516860)
127	11/15/2006	(518976)
128	11/27/2006	(544598)
129	11/29/2006	(512162)
130	12/19/2006	(544599)
131	12/21/2006	(534104)
132	12/29/2006	(534672)
133	01/04/2007	(516900)
134	01/08/2007	(512157)
135	01/22/2007	(544600)
136	02/12/2007	(539381)
137	02/16/2007	(540236)
138	02/18/2007	(540855)
139	02/22/2007	(575434)
140	02/26/2007	(538209)
141	03/20/2007	(538211)
142	03/26/2007	(575435)
143	04/04/2007	(554293)
144	04/23/2007	(575436)
145	04/23/2007	(575440)
146	04/25/2007	(540902)
147	05/04/2007	(558318)
148	05/08/2007	(558508)
149	05/16/2007	(575437)
150	05/25/2007	(561868)
151	06/01/2007	(559013)
152	06/21/2007	(563744)
153	06/22/2007	(575438)
154	07/13/2007	(562870)
155	07/13/2007	(564523)
156	07/13/2007	(567064)
157	07/23/2007	(575439)
158	08/17/2007	(565565)
159	08/20/2007	(607562)
160	08/27/2007	(573505)
161	08/31/2007	(572127)
162	09/14/2007	(570950)

163 09/24/2007 (607563)
 164 10/02/2007 (594482)
 165 10/03/2007 (608617)
 166 10/17/2007 (596344)
 167 10/22/2007 (481761)
 168 10/22/2007 (619546)
 169 11/26/2007 (619547)
 170 11/28/2007 (598481)
 171 12/27/2007 (619548)
 172 01/18/2008 (598045)
 173 02/02/2008 (594422)
 174 02/11/2008 (617736)
 175 02/11/2008 (617821)
 176 02/25/2008 (672070)
 177 03/25/2008 (672071)
 178 04/01/2008 (639935)
 179 04/17/2008 (689998)
 180 04/28/2008 (653240)
 181 05/19/2008 (689999)
 182 05/20/2008 (670835)
 183 05/27/2008 (657010)
 184 05/29/2008 (657015)
 185 06/04/2008 (642002)
 186 06/17/2008 (636408)
 187 06/20/2008 (690000)
 188 06/20/2008 (690001)
 189 07/02/2008 (671093)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

1

Date: 08/18/2003 (147279)

CN600127922

Self NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1).

WQ0000467-000 PERMIT

Description: Failure to limit the effluent characteristics to those specified in the permit.

Self NO Classification: Moderate

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)

WQ0000467-000 PERMIT

Description: Failure to maintain required records for each measurement or sample collected and analyzed at the facility.

Self NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)

30 TAC Chapter 319, SubChapter A 319.7(c)

WQ0000467-000 PERMIT

Description: Failure to maintain a record of quality assurance/quality control (QA/QC) data for the analysis of total residual chlorine.

Self NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.7(a)

30 TAC Chapter 319, SubChapter A 319.7(c)

WQ0000467-000 PERMIT

Description: Failure to monitor and record temperatures inside ovens used in the analysis of Total Suspended Solids (TSS).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)

WQ0000467-000 PERMIT

Description: Failure to use the appropriate reagent for the analysis of total residual chlorine.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

WQ0000467-000 PERMIT

Description: Failure to properly operate and maintain the storm water collection system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(5)

WQ0000467-000 PERMIT

Description: Failure to properly operate and maintain the clarifier at the East Plant.

2

Date: 10/31/2003 (249984)

CN600127922

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)

Description: Failure to provide initial notification of an emissions event within 24 hours of discovery.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)

30 TAC Chapter 116, SubChapter B 116.115(c)(1)

Air Permit No. 3390A PERMIT

VERP No. 46641 PERMIT

Description: Failure to obtain regulatory authority for, or satisfy all criteria of 30 Texas Admin. Code §101.222 to exempt from compliance limitations, the emissions released during an emissions event.

- 3 Date: 02/03/2004 (258191) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
Description: Failure to provide required information in the notification of a reportable emissions, released as a result of emissions events at the Vacuum Unit on November 18, 2003, to the commission's regional office within 24 hours of discovery.
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)
Description: Failure to provide required information in the final record of a reportable emissions, released as a result of emissions events at the Vacuum Unit on November 18, 2003, to the commission's regional office no later than two weeks after the end of the emission event.
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)
Permit 2695A - General Conditions PA
Description: Failure to obtain regulatory authority for the emissions released from the 11-H2 Vacuum Heater facility during an emissions event on November 18, 2003. Specifically, all criteria identified in §101.222(b) were not satisfied as required.
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to obtain regulatory authority for the opacity based emissions released from the 11-H2 Vacuum Heater facility during an emissions event on November 18, 2003. Specifically, all criteria identified in §101.222(b) were not satisfied as required.
- 4 Date: 02/06/2004 (256569) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)
30 TAC Chapter 116, SubChapter B 116.115(c)
9604A PERMIT
Description: Failure to operate the Cumene Flare with no visible emissions except periods not to exceed a total of five minutes during any two consecutive hours.
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
9604A PERMIT
Description: Failure to maintain the Cumene Flare in good working order.
- 5 Date: 02/06/2004 (256114) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)
3123A PERMIT
Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222(b)(2), (b)(3), (b)(6), and (b)(9), for reportable emissions resulting from an emissions event.
- 6 Date: 02/06/2004 (256568) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
Description: Failure to obtain regulatory authority for, or satisfy all criteria of 30 Texas Admin. Code §101.222(b), to exempt from compliance limitations, the emissions released during an emissions event.
- 7 Date: 04/15/2004 (266190) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
Description: Failure to meet the demonstration criteria of 30 TAC 101.222.
- 8 Date: 04/30/2004 (295712) CN600127922
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
- 9 Date: 05/21/2004 (272559) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
3119A PA
Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222 for emissions involving the SRU during an emissions event which began on January 5, 2004.
- 10 Date: 06/23/2004 (276515) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
9604A PA
Description: Failure to obtain regulatory authority or meet the demonstration requirements of 30 TAC 101.222 for emissions involving the Fluor Flare during an emissions event which began on March 3, 2004.
- 11 Date: 08/31/2004 (291703) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.162(a)
5418A & 20156 PA

Description: Failure to demonstrate compliance with the fugitive emission standards for all components in HON service at the BTX and Hydrar Units as directed by § 63.162(a) and (f).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.166

Description: Failure to equip process sampling stations with a closed-purge, closed-loop, or closed-vent system

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.167
5418A & 20156 PA

Description: Failure to equip applicable each open-ended valve or line with a cap, blind flange, plug, or a second valve.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.325(1)
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart H 63.180(b)
5418A & 20156 PA

Description: Failure to demonstrate that fugitive monitoring was being performed in accordance with Method 21 of 40 CFR part 60, appendix A.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.182(d)

Description: Failure to submit an accurate and complete HON semiannual report due on or about July 2003 for the reporting period of January through June 2003.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.130
40 CFR Part 63, Subpart H 63.182(d)

Description: Failure to include in the BTX and Hydrar Unit HON semiannual reports the number and percent of connectors leaking, and the total number of connectors monitored. Additionally, the number and percent of valves leaking and the total number of valves monitored are incorrect.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5418A & 20156 PA

Description: Failure to maintain and provide, upon request, lists of equipment excluded from fugitive emission monitoring requirements due to vapor pressure, operating pressure and/or size. Additionally, the operator failed to demonstrate that the weekly AVO inspections of connectors and/or flanges are being conducted.

12 Date: 11/19/2004 (341305) CN600127922

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
30 TAC Chapter 116, SubChapter B 116.115(c)
Special Condition No. 3 PERMIT

Description: Failure to satisfy all demonstrations criteria as listed under 30 Tex. Admin. Code § 101.222 and gain authority for emissions released from an event that occurred on April 14, 2004, TCEQ incident No. 37963.

13 Date: 11/29/2004 (341912)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 327 327.3(b)

Description: The regulated entity failed to notify the TCEQ of a reportable incident as soon as possible, but no later than 24 hours. The CASA Line Filter at CITGO East in Corpus Christi, Texas released approx. 10 barrels of 2-Oil to the ground on 09/18/04, however, CITGO personnel did not notify the TCEQ until 09/28/04.

14 Date: 12/29/2004 (342227) CN600127922

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(4)

Description: Failure to submit all additional or more detailed information requested for TCEQ STEERS No. 39028 within the time frame established in the request. Information requested to be submitted by September 22, 2004 was received on November 24, 2004.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(12)

Description: All additional information necessary to evaluate the emissions event (TCEQ STEERS No. 39028) which occurred on or about May 4, 2004 was not provided in the final record.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(f)

Description: Failure to submit in writing an analysis of the probable cause of an emissions event (TCEQ STEERS No. 39028) within 60 days from the date of the request.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(C)

Description: Failure to prevent the occurrence of visible emissions with an opacity of greater than 20% averaged over a six-minute period for emissions released from the No. 2 FCCU during an emissions event (TCEQ STEERS No. 39028) that occurred on or about May 4, 2004.

	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 101, SubChapter A 101.20(1) 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(2)		
	Description:	Failure to maintain compliance with applicable requirements specified in New Source Performance Standards (NSPS) for Petroleum Refineries 40 Code of Federal Regulations (CFR) Part 60 Subpart J.		
15	Date:	03/31/2005 (419743)	CN600127922	
	Self Report?	YES	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
16	Description:	Failure to meet the limit for one or more permit parameter		
	Date:	07/18/2005 (393465)	CN600127922	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TPDES Permit No. 00467-003 PERMIT		
	Description:	Failure to comply with the 0.5 mg/l daily maximum permit limit for BTEX.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 319, SubChapter A 319.4 TPDES Permit No. 00467-003 PERMIT		
	Description:	Failure to meet minimum self-monitoring requirements for sample collection and laboratory analysis.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TPDES Permit No. 00467-001 PERMIT		
	Description:	Failure to comply with the maximum pH permit limit of 9.0 su (standard units).		
17	Date:	12/31/2005 (468525)	CN600127922	
	Self Report?	YES	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description:	Failure to meet the limit for one or more permit parameter		
18	Date:	08/24/2006 (482569)	CN600127922	
	Self Report?	NO	Classification:	Moderate
	Citation:	TPDES Permit No. WQ0000467-001 PERMIT TWC Chapter 26 26.121(a)(1)		
	Description:	Failure to prevent an unauthorized discharge of approximately 6 barrels of slop oil into the Corpus Christi Inner Harbor.		
19	Date:	08/31/2006 (483126)	CN600127922	
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 335, SubChapter C 335.69(a) 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)		
	Description:	Failure to meet accumulation time limits as required for storage of hazardous waste without a permit.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A) 30 TAC Chapter 335, SubChapter E 335.112(a)(8) 40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i) 40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.174		
	Description:	Failure to inspect all container storage areas as required.		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) PP III.D. OP		
	Description:	Failure to inspect Permitted Units as per permit requirements.		
20	Date:	11/28/2006 (512162)	CN600127922	
	Self Report?	NO	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a)(1) 30 TAC Chapter 335, SubChapter A 335.4		
	Description:	Failure to prevent discharge of industrial or other waste into or adjacent to any water in the state.		
21	Date:	03/31/2007 (575436)	CN600127922	
	Self Report?	YES	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description:	Failure to meet the limit for one or more permit parameter		
22	Date:	05/31/2007 (575438)	CN600127922	
	Self Report?	YES	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description:	Failure to meet the limit for one or more permit parameter		
23	Date:	07/31/2007 (607562)	CN600127922	
	Self Report?	YES	Classification:	Moderate
	Citation:	2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description:	Failure to meet the limit for one or more permit parameter		
24	Date:	08/17/2007 (565565)	CN600127922	
	Self Report?	NO	Classification:	Moderate
	Citation:	TWC Chapter 26 26.121(a)(1)		

Description: Failure to prevent an un-permitted discharge of commingled process wastewater, storm water, cooling tower blow-down, and fire water via outfall 003

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit No. 00467-001 PERMIT

Description: Failure to comply with the daily maximum effluent permit limit for biochemical oxygen demand (BOD) and chemical oxygen demand (COD) for 12/2005 at outfall 001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 319, SubChapter A 319.4
TPDES Permit No. 00467-003 PERMIT

Description: Failure to analyze total chrome at storm water outfall 003 for the month of November 2005. On 11/26/2005, a discharge occurred at outfall 003 with a corresponding rain event. A sample was collected during the discharge for laboratory analyses of the required permit parameters. The in-house laboratory did not perform the total chromium analysis due to a laboratory error.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TPDES Permit No. 00467-003 PERMIT

Description: Failure to comply with the daily maximum effluent permit limit for oil and grease for 07/2007 at outfall 003.

25 Date: 08/31/2007 (572127) CN600127922

Self Report? NO Classification: Moderate

Citation: 19044, SC 2E PERMIT
20156, SC 1E PERMIT
21303, SC 5E PERMIT
21706, SC 6E PERMIT
2695A, Special Condition 10E PERMIT
2697A, SC 9E PERMIT
2703A, SC 5E PERMIT
2708A, SC 8E PERMIT
30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 101, SubChapter A 101.20(3)
30 TAC Chapter 113, SubChapter C 113.130
30 TAC Chapter 115, SubChapter D 115.322(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
3123A, SC 7E PERMIT
3857A, 13E PERMIT
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
46640, SC 6E PERMIT
46641, SC 14E PERMIT
5418A, SC 8E PERMIT
6722A, SC 10E PERMIT
72654, SC 3E PERMIT
9604A/PSD-TX-653, SC18E PERMIT
FOP O-01423, Special Term & Condition 1A OP

Description: Failure to equip each open-ended valve or line with a cap, blind flange, plug, or a second valve. According to the TCEQ Enforcement Initiation Criteria, this is a Category C violation, Subcategory 10.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)
30 TAC Chapter 115, SubChapter D 115.322(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(g)(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)
FOP O-01423, Special Term & Condition 1A OP

Description: Failure to make a first attempt at repair within five days.

Self Report? NO Classification: Moderate

Citation: 21303, SC 5H PERMIT
2697A, SC 9I PERMIT
2703A, 5I PERMIT
2708A, SC 8I PERMIT
30 TAC Chapter 115, SubChapter D 115.322(2)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
46640, SC 6I PERMIT
46641, SC 14I PERMIT
5418A, SC 8I PERMIT
6722A, SC 10I PERMIT
9604A/PSD-TX-653, SC 18H PERMIT
FOP O-1423, Special Term & Condition 1A OP

Description: Failure to make an effective repair or delay of repair placement within the appropriate time limits.

26 Date: 09/30/2007 (619546) CN600127922

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

27 Description: Failure to meet the limit for one or more permit parameter
Date: 10/03/2007 (608617) CN600127922
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
30 TAC Chapter 305, SubChapter F 305.125(17)
Description: NON-RPT VIOS FOR MONIT PER OR PIPE

F. Environmental audits.

1 Notice of Intent Date: 06/24/2004 (334400)
1 Disclosure Date: 12/21/2004
Viol. Classification: Major
Citation: 30 TAC Chapter 101, SubChapter F 101.201(g)
Description: Failure to report emission events.

2 Notice of Intent Date: 07/07/2004 (334338)
No DOV Associated

3 Notice of Intent Date: 07/27/2004 (509717)
No DOV Associated

4 Notice of Intent Date: 06/02/2005 (403329)
2 Disclosure Date: 12/01/2005
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.326(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(c)
Description: Failed to control 63 open-ended lines by cap, plug, blind, or double block valves.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.326(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(c)
Description: Failure to maintain records of weekly visual inspections documenting inspection of non-leaking pumps.
Viol. Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.326(2)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT R 60.181(d)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.486(c)
Description: Failure to properly complete DOR forms.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.326
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182
Description: Failure to submit monitoring reports on time and Reports did not contain all information required by the regulations.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter D 115.322
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168
Description: Failure to tag components in the ADP and BTX units.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(b)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)
Description: The 5 to 15 day report submitted in July 2005 generated by the fugitive software had inaccurate or not probable dates that reported excessive deviations.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(v)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(v)
Description: Failure to identify compressor leaks in semi-annual report for 2004 MACT or HON units.
Viol. Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(3)
Description: Failure to include complete downtime information in several MACT reports for the East Plant.
Viol. Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(H)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(vii)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182(d)(2)(xiii)
Description: Failure to include reason for delay of repair on the 2004 HON and MACT semiannual reports.

5 Notice of Intent Date: 08/08/2007 (639331)
No DOV Associated

G. Type of environmental management systems (EMSs).
N/A

H. Voluntary on-site compliance assessment dates.
N/A

I. Participation in a voluntary pollution reduction program.
N/A

J. Early compliance.
N/A

Sites Outside of Texas
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
CITGO REFINING AND
CHEMICALS COMPANY L.P.;
RN102555166**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2008-1193-AIR -E

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding CITGO Refining and Chemicals Company L.P. ("CITGO") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and CITGO, represented by Chris Newcomb in-house counsel of CITGO, presented this agreement to the Commission.

CITGO understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, CITGO agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon CITGO.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. CITGO owns and operates a petroleum refinery located at 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

3. During an investigation conducted on March 7, 2008, a TCEQ Corpus Christi Office investigator documented that CITGO:
 - a. Failed to prevent unauthorized emissions. Specifically, CITGO released 14,123.45 pounds ("lbs") of sulfur dioxide (" SO_2 "), 145.08 lbs of hydrogen sulfide, 279.8 lbs of hydrocarbons, 170.3 lbs of carbon monoxide, 21 lbs of nitrogen oxide, and 1.25 lbs of nitrogen dioxide from the Acid Gas Flare [Emission Point Number ("EPN") 413] during an emissions event (Incident No. 102382) that began January 1, 2008 and lasted five hours and eight minutes. The inadequate design and shutdown procedures allowed hydrocarbons to be carried into the East Plant sour water system from the Gasoline HydroTreater ("GHT") Product Separator Boot, ultimately leading to the unit shutdown. Furthermore, the level indicator for the flash drum could not be monitored because it was located outside of the Distributive Control System ("DCS") Console.
 - b. Failed to submit the initial notification of Incident No. 102832 within 24 hours of discovery.
 - c. Failed to list all compounds and quantities associated with Incident No. 102832 in the final report.
4. CITGO received notice of the violations on or about July 7, 2008.
5. The Executive Director recognizes that, in response to this enforcement action, CITGO implemented the following corrective measures at the Plant, as detailed in the Corrective Action Plan ("CAP") submitted to the TCEQ on September 2, 2008:
 - a. Installed a High Output alarm on GHT Product Separator at 60% to alert console supervisors of a possible problem.
 - b. Changed the GHT shutdown procedures to require water wash and isolation of water boots during unit shutdown.
 - c. Changed all applicable GHT procedure and guidelines to ensure the fin fans are shutdown as needed to maintain a minimum of 90°F on 207-TI-045 and 207-TI-047.
 - d. Removed or upgraded the Sour Water Flash drum pump suction screens.
 - e. Brought the Sour Water Flash drum level indicator into the DCS console.

- f. Trained console supervisors on lessons learned from this incident and refreshed on applicable procedures.
- g. Assessed current emission calculation practices and reporting procedures and modified as required to address issues associated with the January 1, 2008 acid gas flaring event.

CONCLUSIONS OF LAW

1. As evidenced by Findings of Fact Nos. 1 and 2, CITGO is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE § 7.002, TEX. HEALTH & SAFETY CODE ch. 382, and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3.a., CITGO failed to prevent unauthorized emissions, in violation of TEX. HEALTH & SAFETY CODE § 382.085(b), 30 TEX. ADMIN. CODE § 116.115(c), and New Source Review Permit 3119A, Special Condition No. 1.
3. As evidenced by Findings of Fact No. 3.b., CITGO failed to submit the initial notification of Incident No. 102832 within 24 hours of discovery, in violation of TEX. HEALTH & SAFETY CODE § 382.085(b) and 30 TEX. ADMIN. CODE § 101.201(a)(1).
4. As evidenced by Findings of Fact No. 3.c., CITGO failed to list all compounds and quantities associated with Incident No. 102832 in the final report, in violation of TEX. HEALTH & SAFETY CODE § 382.085(b) and 30 TEX. ADMIN. CODE § 101.201(b), (c), and (g).
5. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against CITGO for violations of state statutes within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of ten thousand four hundred eighty-two dollars (\$10,482.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. CITGO paid ten thousand four hundred eighty-two dollars (\$10,482.00) of the administrative penalty.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. It is, therefore, ordered by the TCEQ that CITGO pay an administrative penalty as set forth in Conclusion of Law No. 6, above. The payment of this administrative penalty and CITGO's

compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: CITGO Refining and Chemicals Company L.P.; Docket No. 2008-1193-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to CITGO if the Executive Director determines that CITGO has not complied with one or more of the terms or conditions in this Agreed Order.
3. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
4. This Agreed Order, issued by the Commission, shall not be admissible against CITGO in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
5. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
6. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to CITGO, or three days after the date on which the Commission mails notice of the Order to CITGO, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

7/21/2009

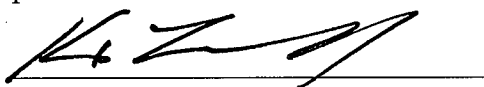
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of CITGO Refining and Chemicals Company L.P., and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on CITGO's compliance history;
- Greater scrutiny of any permit applications submitted by CITGO;
- Referral of this case to the Attorney General's office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against CITGO;
- Automatic referral to the Attorney General's Office of any future enforcement actions against CITGO; and
- TCEQ seeking other relief as authorized by law.

In addition, I understand that any falsification of any compliance documents may result in criminal prosecution.



Signature

5/12/09

Date

Kevin Ferraro

Name (Printed or typed)
CITGO Refining and Chemicals Company L.P.

GM/VP CORPUS CHRISTI REFINERY

Title